

Reemployment Rights Answers to Frequently Asked Questions

What are reemployment rights?

Reemployment rights include the right to be considered for any open 18A merit position for which you qualify with the distinction of a “reemployment candidate.” No vacancy may be filled from a competitive register until all reemployment candidates on that register have been reemployed, interviewed, or properly considered. Additionally, reemployment candidates who are considered for a position and not reemployed receive notification of the decision, and the reemployment candidate may appeal this decision to the Personnel Board. [KRS 18A.005\(31\)](#), [KRS 18A.113](#), and [KRS 18A.135](#).

Who has reemployment rights?

In general, there are only two types of employees who have reemployment rights.

1. Merit employees laid off from a position in which they attained status ([KRS 18A.113](#)); and
2. Career employees separated from a non-merit position other than for cause. [KRS 18A.135](#).

How will I know if I have reemployment rights?

Your appointing authority should notify you of your rights upon separation from your position in state government.

Do I have to take any action to exercise these rights?

Yes. First, you must contact the Register Branch of the Personnel Cabinet, Division of Career Opportunities at 502-564-8030 to inform them of your intent to utilize your reemployment rights. Second, you must actively seek employment with state government. This means that you must actively apply to all open positions for which you qualify and for which you wish to be considered.

How long do I keep my reemployment rights?

In general, you retain reemployment rights for a period of five (5) years from the date of separation, or until you “satisfy” your reemployment rights, whichever is sooner. However, some actions may adversely impact your reemployment rights. See [KRS 18A.113](#) for a complete list of all actions that may adversely impact your reemployment rights.

How do I know when my reemployment rights have been satisfied?

The time at which your reemployment rights are satisfied depends upon whether or not you have previously attained merit status within state government. Examples are listed below.

1. If you were laid-off from a merit position, then your reemployment rights are satisfied when you attain a merit position with a base pay equal to or greater than the base pay you received in your previous merit position.
2. If you were terminated from a non-merit position, then your reemployment rights are satisfied depending upon whether you previously attained merit status.
3. If you previously attained merit status, then your reemployment rights are satisfied when you attain a merit position with a base pay equal to or greater than the base pay you received in your most recent merit position.

If you have not previously attained merit status, then your reemployment rights are satisfied when you attain any merit position.